

ROSEN & ASSOCIATES, P.C.
Attorneys for Bank of Smithtown
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Nancy L. Kourland

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

Chapter 11

AVENUE L REALTY LLC,

Case No. 8-11-71580-ast

Debtor.

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**NOTICE OF APPEARANCE AND
DEMAND FOR SERVICE OF PAPERS**

PLEASE TAKE NOTICE that pursuant to section 1109(b) of the Bankruptcy Code and Rules 9010 and 2002 of the Federal Rules of Bankruptcy Procedure, Rosen & Associates, P.C. hereby appears as counsel for Bank of Smithtown and hereby requests, pursuant to Rules 2002, 3017, and 9007 of the Federal Rules of Bankruptcy Procedure and sections 342 and 1109(b) of the Bankruptcy Code, that copies of all notices and pleadings given or filed in this case, or required to be given or filed in this case, be given and served upon counsel at the following address:

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PLEASE TAKE FURTHER NOTICE that pursuant to section 1109(b) of the Bankruptcy Code, the foregoing request includes not only the notices and papers referred to in the Bankruptcy Code and Federal Rules of Bankruptcy Procedure provisions specified above, but

also includes, without limitation, any notice, hearing date, application, complaint, demand, motion, petition, pleading or request, whether formal or informal, written or oral and whether transmitted or conveyed by mail, delivery, telephone, telegraph, telex, or otherwise filed or given with regard to the referenced case and the proceedings herein.

PLEASE TAKE FURTHER NOTICE that demand is also made that the undersigned counsel be added to the notice list for notice of all contested matters, adversary proceedings, and other proceedings in the referenced chapter 11 case.

PLEASE TAKE FURTHER NOTICE that neither this Notice of Appearance nor any subsequent appearance, pleading, claim, or suit is intended or shall be deemed to waive Bank of Smithtown's (i) right to have final orders in non-core matters entered only after de novo review by a district judge; (ii) right to trial by jury in any proceeding so triable herein or in any case, controversy, or proceeding related hereto; (iii) right to have the reference withdrawn by the United States District Court in any matter subject to mandatory or discretionary withdrawal; or (iv) other rights, claims, actions, defenses, setoffs, or recoupments to which it is or may be entitled under agreements, in law, or in equity, all of which rights, claims, actions, defenses, setoffs, and recoupments expressly are reserved.

Dated: New York, New York
April 6, 2011

ROSEN & ASSOCIATES, P.C.
Attorneys for Bank of Smithtown

By: /s/ Nancy L. Kourland
Nancy L. Kourland

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